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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

Advanced Television Systems and)
Their Impact Upon the Existing)
Television Broadcast Service)

MM Docket No. 87-268

To: The Commission

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

**Request for Extension of Time
by Association of America's Public Television Stations
and Public Broadcasting Service**

The Association of America's Public Television Stations and the Public Broadcasting Service (collectively, "Public Television") hereby respectfully request an eight-week extension of time to submit comments addressing issues affecting noncommercial television stations in response to the Commission's Fourth Further Notice of Proposed Rule Making and Third Notice of Inquiry (FCC 95-315), released August 9, 1995 ("Fourth Notice") in the above-captioned proceeding.

In the Fourth Notice, the Commission solicits comment on many of the fundamental regulatory issues associated with the introduction of Advanced Television ("ATV"), including licensee eligibility, service requirements, simulcasting requirements and other transition measures, and construction deadlines. Recognizing that "noncommercial licensees will face unique problems in their transition to ATV,"^{1/} the Commission specifically seeks comment

^{1/} See Fourth Notice at ¶ 73.

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on whether it should adopt special measures to facilitate noncommercial broadcasters' conversion to ATV.^{2/}

Public Television is gratified by the Commission's recognition of the special difficulties faced by noncommercial television stations in converting to ATV operations and welcomes its desire to explore constructive measures that the Commission might take to mitigate those problems. While Public Television is most eager to address the issues raised by the Commission, the timing of Congressional consideration of a legislative proposal for ATV implementation by public television stations makes it extremely difficult, if not impossible, for Public Television to submit meaningful comments by the deadline established in the Fourth Notice.

The legislative proposal currently being considered by Congress would provide a mechanism for funding both noncommercial stations' conversion to ATV and noncommercial broadcast operations generally in an era of contracting governmental financial support. That proposal, or some variation of it, would, if adopted, establish a statutory framework for use of the ATV channels assigned to noncommercial television stations, and would have important implications with respect to the vast majority of the issues raised by the Commission in the Fourth Notice. Thus, if the legislation were enacted, any comments filed by Public Television in response to the Fourth Notice would likely become moot.^{3/} Moreover, it would be

^{2/} See id. at ¶¶ 70-76.

^{3/} Indeed, if legislation were passed, the Commission might be required to issue a separate notice to implement such legislation.

premature for Public Television to comment now on what measures the Commission should adopt if the legislation were adopted because the final outlines of the legislation are not yet known.

Thus, in order to avoid wasting the time of the Commission and other parties who may reply to Public Television's regulatory proposals, as well as Public Television's own resources, Public Television respectfully requests an eight-week extension of time, until December 13, 1995, to submit comments addressing the issues affecting noncommercial television stations in this proceeding. An eight-week extension is requested because the legislative ATV proposal is being considered as part of the budget reconciliation legislation on which Congress is expected to act prior to the time it recesses on November 20. Public Television would need time to formulate its proposal to the Commission after passage (or non-passage) of that legislation.

For the foregoing reasons, The Association of America's Public Television Stations and the Public Broadcasting Service respectfully request an extension of time until December 13, 1995 to submit comments addressing the issues affecting noncommercial television stations in this proceeding.

Respectfully submitted,



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